

**BOROUGH OF MIDDLESEX  
REGULAR MEETING MINUTES  
FEBRUARY 25, 2014**

**MAYOR'S STATEMENT:** Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Revised Annual Meeting Notice of December 31, 2013 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

**SALUTE TO THE FLAG**

**ROLL CALL**

Mayor	Ronald Dobies
Council President	Sean Kaplan
	Kevin Dotey
	Stephen Greco
	Patricia Jenkins
	Bob Schueler (absent)
	Michele Tackach

Attorney:	Aravind Aithal
Borough Clerk	Kathleen Anello

**STUDENT COUNTERPARTS**

Brittany Molnar  
Sarah Kaplan  
Allison Spencer  
Julia LaCapria  
Amanda Brador  
Alyssa Peterson  
Brianna Chacon

Rebecca Reents

Mayor Dobies stated that two items will be added to the Agenda (1) The two alternates on the Planning Board (Frank Ryan and Paul Woska) will be elevated to Class IV members of the Planning Board; and (2) Mayor Dobies' discussion items will include trees and branches.

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**PROCLAMATIONS**

The Borough Clerk read the following Proclamation:

***PROCLAMATION***

**WHEREAS**, the Benevolent and Protective Order of Elks has designated the week of February 24, 2014 as Elk's Youth Week to honor America's Junior Citizens for their accomplishments, and to give fitting recognition to their services to Community, State and Nation; and

**WHEREAS**, Middlesex Elks 1488 will sponsor an observance during that week in tribute to the Junior Citizens of this Community; and

**WHEREAS**, no event could be more deserving of our support and participation than one dedicated to these young people who represent the nation's greatest resource, and who in the years ahead will assume the responsibility for the advancement of our free society; and

**WHEREAS**, our Youth need the guidance, inspiration and encouragement which we alone can give in order to help develop those qualities of character essential for future leadership; and go forth to serve America; and

**WHEREAS**, to achieve this worthy objective we should demonstrate our partnership with Youth, our understanding of their hopes and aspirations and a sincere willingness to help prepare them in every way for the responsibilities and opportunities of citizenship.

**NOW THEREFORE, I Ronald S. Dobies**, Mayor of the Borough of Middlesex do hereby proclaim the week of February 24, 2014 as Elk's Youth Week and urge all departments of government, civic, fraternal and patriotic groups and our citizens generally, to participate wholeheartedly in its observance.

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The Borough Clerk read the following Proclamation:

### **PROCLAMATION**

#### **YOUTH ART MONTH – 2014**

**WHEREAS**, art education contributes powerful educational benefits to all elementary, middle, and secondary students including the following:

- Art education develops students' creative problem-solving and critical thinking abilities.
- Art education teaches sensitivity to beauty, order, and other expressive qualities;
- Art education gives students a deeper understanding of multi-cultural values and beliefs;
- Art education reinforces and brings to life what students learn in other subjects; and
- Art education interrelates student learning in art production, art history, art criticism, and aesthetics.

**WHEREAS**, our national leaders have acknowledged the necessity of including arts experiences in all students' education,

**THEREFORE, BE IT RESOLVED** that support be given to art teachers as they attempt to strengthen art education in their schools and communities.

**NOW, THEREFORE**, it is proclaimed that March be observed as YOUTH ART MONTH, and all citizens are urged to take interest in and give full support to quality school art programs for children and youth.

**NOW, THEREFORE**, I Ronald S. Dobies, Mayor of the Borough of Middlesex, County of Middlesex and State of New Jersey do hereby proclaim March, 2014 as YOUTH ART MONTH.

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### **APPOINTMENT**

- A. Mayor Dobies elevated Paul Woska and Frank Ryan to Class IV members of the Planning Board.

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### **PRESENTATIONS-NONE**

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### **NEW BUSINESS-NONE**

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## **PUBLIC HEARING**

The Borough Clerk read Ordinance No. 1846-14 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

### **BOROUGH OF MIDDLESEX ORDINANCE NO. 1846-14**

#### **AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 248, LAND DEVELOPMENT**

**WHEREAS**, pursuant to N.J.S.A. 40:48-1, the governing body of a municipality may make, amend, repeal, and enforce ordinances to manage regulate and control the finances and property of the municipality; and

**NOW, THEREFORE, BE IT ORDAINED** by the Governing Body of the Borough of Middlesex, County of Middlesex, State of New Jersey as follows:

**SECTION ONE.** The Code of the Borough of Middlesex, Middlesex County, New Jersey is hereby amended to the following:

#### **§ 248-4 Definitions.**

For the purposes of this chapter, the terms used herein are defined as follows:

ADMINISTRATIVE OFFICER: The Zoning Officer of the Borough of Middlesex

#### **§ 248-6 Filing of sketch plan and preliminary or final site plan.**

##### **A. General procedures.**

(1) Sketch plats and preliminary and final site plans, together with an application, shall be filed with the Planning Board Secretary of the Borough of Middlesex. At the time of filing the application, the developer shall pay all fees and submit three copies of applications, maps and other documents as required by this chapter and the Board's rules and regulations.

(2) The Administrative Officer, designated as the control person, shall review the sketch plat and preliminary or final site plan application, which are filed, with the assistance of the Board Engineer and the Board Planner to make a determination as to whether or not the application is complete. If the application is determined to be complete, the Administrative Officer shall notify the developer that the application is complete and of the date of the hearing. If the application is incomplete, the applicant shall be notified in writing of the deficiencies in said application. If the application is complete, the developer shall file the required number of copies of plans or maps within the time prescribed by the Planning Board.

#### **§ 248-7 Preliminary and final subdivision plans.**

A. Preliminary and final subdivision plans, together with an application, shall be filed with the Planning Board Secretary of the Borough of Middlesex. At the time of filing the application, the developer shall pay all fees and submit three copies of applications, maps and other documents as required by this chapter.

B. The Administrative Officer, designated as the control person, shall review the sketch plat and preliminary or final site plan application, which are filed, with the assistance of the Board Engineer and the Board Planner to make a determination as to whether or not the application is complete. If the application is determined to be complete, the Administrative Officer shall notify the developer that the application is complete and of the date of the hearing. If the application is incomplete, the applicant shall be notified in writing of the deficiencies in said application. If the application is complete, the developer shall file the required number of copies of plans or maps within the time prescribed by the Planning Board.

#### § 248-9 Submission of final plat or final site plan for major subdivisions.

A. The final plat shall be submitted to the Planning Board Secretary for final approval within three years from the date of preliminary approval. The Planning Board shall act upon the completed application for final plat within 45 days after the date of submission for final approval, and a certificate of the administrative officer as to the failure of the Planning Board to act shall be issued on request of the applicant, and it shall be sufficient in lieu of the written endorsement or other evidence of approval herein required and shall be so accepted by the county recording officer for purposes of filing subdivision plats.

#### § 248-15 Details of preliminary and final site plans.

A site plan, as herein required, shall be submitted in 18 copies to the Planning Board Secretary. The preliminary and final site plans shall be drawn, show or be accompanied by the following:

SECTION TWO. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

SECTION THREE. This Ordinance may be renumbered for codification purposes.

SECTION FOUR. This Ordinance shall take effect immediately upon (1) adoption; (2) publication in accordance with the laws of the State of New Jersey; and (3) filing of the final form of adopted ordinance by the Clerk with the Middlesex County Planning Board pursuant to N.J.S.A. 40:55D-16.

Mayor Dobies opened the Public Hearing on Ordinance No. 1846-14. Seeing that there was no public participation, Mayor Dobies closed the Public Hearing on Ordinance No. 1846-14.

Councilwoman Jenkins made a motion for adoption seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

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The Borough Clerk read Ordinance No. 1847-14 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

**BOROUGH OF MIDDLESEX  
ORDINANCE NO. 1847-14**

**AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE  
OF NEW JERSEY AMENDING CERTAIN AREAS AND THE ZONING MAP**

**WHEREAS**, the Municipal Land Use Law of the State of New Jersey, N.J.S.A. 40:55D-1, et seq., grants to municipalities the power to adopt a zoning ordinance relating to the nature and extent of the uses of lands, buildings and structures thereon;

**NOW, THEREFORE, BE IT ORDAINED** by the Governing Body of the Borough of Middlesex, County of Middlesex, State of New Jersey as follows:

**SECTION ONE.** A portion of the Zoning Map of the Borough of Middlesex, Middlesex County, New Jersey dated October 22, 2012 is hereby amended as follows:

1. Block 262 Lots 16, 39, & 42 of the Tax Map of the Borough of Middlesex shall be zoned R-60B Single & Two Family Dwelling.

**SECTION TWO.** All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

**SECTION THREE.** This Ordinance may be renumbered for codification purposes.

**SECTION FOUR.** This Ordinance shall take effect immediately upon (1) adoption; (2) publication in accordance with the laws of the State of New Jersey; and (3) filing of the final form of adopted ordinance by the Clerk with the Middlesex County Planning Board pursuant to N.J.S.A. 40:55D-16.

Mayor Dobies opened the Public Hearing on Ordinance No. 1847-14. Seeing that there was no public participation, Mayor Dobies closed the Public Hearing on Ordinance No. 1847-14.

Councilwoman Jenkins made a motion for adoption seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

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**ADOPTION OF MINUTES**

Councilwoman Jenkins made a motion to approve the January 28, 2014 and February 11, 2014 Regular Meeting Minutes and the February 11, 2014 Executive Meeting Minutes seconded by Councilwoman Tackach and carried by a unanimous vote of Council.

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**REPORTS – STANDING COMMITTEES:**

1. Finance/Taxation/Real Estate/Construction Official/Insurance – Nothing to Report
  - A. Update on Budget – The Finance Committee has been meeting weekly with the CFO. The Council will meet to discuss the budget on March 8<sup>th</sup> at 9AM with certain Department Heads. Mayor Dobies acknowledged Sean Kaplan and the

Finance Committee for their work on the Budget, as the made some difficult reductions.

2. Recreation/Recreation Fields/Water & Light
  - A. Swim Pool Update - Councilman Greco attended the Pool Commission Meeting and indicated that they intend to bid for the 6 lane lap pool in April, 2014.
3. Fire/OEM/Board of Health/Rescue Squad/Flood
  - A. Councilman Kaplan attended the Fire Meeting and it was noted that the Fire Department has plowed out hydrants. The Fire Department also went around to look at areas in need of tree trimming for the new fire truck coming in June.
4. Public Works/Parks/Sanitation/Recycling
  - A. Snow Report Update - Met with the DPW Manager and salt was received, and was used after the storm and initial plowing was done. Also, discussed the icing problems and recommendation was made to have the crews that are sent out to their plowing districts pay attention to the area of concern and have salt available to combat the icing problems they encounter.
  - B. Planning Board Report – Borough Planner was authorized to move forward with a study to determine if there is need to move forward with the transition of the current area in need of rehabilitation to a redevelopment zone. This is estimated to take approximately 4 months.
5. Police/Legal/Code Enforcement/Municipal Court
  - A. Councilwoman Jenkins moved the approval of the January, 2014 Police Department Report seconded by Councilman Dotey and carried by a unanimous vote of Council.
  - B. Councilwoman Jenkins moved the approval of the Construction Official 2013 Annual Report seconded by Councilman Dotey and carried by a unanimous vote of Council.
  - C. The two police officers are scheduled to be sworn in at the March 11, 2014 Regular Meeting. Also a proclamation will be done at this meeting for the 75<sup>th</sup> Anniversary of the Police Department.
6. Administration/Department of Senior Services/Legislation/Licensing
  - A. Councilwoman Tackach updated Council on the hiring of the part time clerical position in the Clerk's Office. This will be discussed further in Executive Session.
  - B. Councilwoman Tackach discussed the scanning to Council laptops of all the documents distributed to the Councilmembers.

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## REPORTS

**Mayor**

1. Mayor Dobies discussed the trees and branches on Cap Lane and Mountain View Park that are available to borough residents.
2. Discussion on Ordinance No. 1836-13 – An Ordinance Amending the Code of the Borough of Middlesex, County of Middlesex, New Jersey, Chapter 420, Zoning, Section 420-35 Use of Trailers for Storage or Office and Ordinance No. 1837-13 – An Ordinance Amending the Code of the Borough of Middlesex, County of Middlesex, New Jersey Chapter 420, Zoning, Section 20-23 Outside Storage Restricted – Councilwoman Jenkins made a motion to move these ordinances back to the Planning Board for their recommendation seconded by Councilman Kaplan and carried by a unanimous vote of Council.

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The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

**Consent Agenda 2014(e)**

**WHEREAS**, the Mayor and Council of the Borough of Middlesex has reviewed the Consent Agenda consisting of various proposed resolutions; and

**WHEREAS**, the Mayor and Council of the Borough of Middlesex is not desirous of removing any resolutions from this Consent Agenda.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following resolutions on the Consent Agenda are hereby approved and adopted.

**Resolution #71-14 - Resolution #73-14**

Council President Kaplan made a motion for approval, seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, and Tackach. Nos.: None. Abstain: None.

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The Borough Clerk read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex that:

**Resolution #71-14**

The Tax Collector is hereby authorized to cancel added/omitted assessment taxes for 1<sup>st</sup> & 2<sup>nd</sup> quarter 2014 in the amount of \$913.07 on Block 136, Lot 4.01, 319 Ashland Road. This cancellation is per the recommendation of the Tax Assessor.

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The Borough Clerk read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex that:

**Resolution #72-14**

The Tax Collector is hereby authorized to issue a check in the amount of \$11,462.70 to redeem tax sale certificate #2013-1815 and a check in the amount of \$20,700 for a tax sale premium, Block 212, Lot 3, 100 Marlborough Avenue, check is to be made payable to:

U S Bank Cust for Actlien Holding Inc  
2 Liberty Place - TLSG  
50 South 16<sup>th</sup> Street – Suite 1950  
Philadelphia, PA 19102

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The Borough Clerk read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex that:

**Resolution #73-14**

The following items have been approved by the Housing and Community Development Committee to be submitted to the Middlesex County Housing & Community Development for approval for the use of the 2014 Grant Funds:

Senior Coordinator Salary	\$11,075
Senior Van Driver	\$7,500
Code Enforcement	\$7,500
Nutritional Program	\$7,500
Daisy Park Basketball Court	\$5,554
Lincoln Park Refurbishing	\$7,346
<b>TOTAL</b>	<b>\$46,475</b>

\*Any additional increase or decrease to our CDBG Allocations will be associated with a construction project.

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The Borough Clerk read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex that:

**Resolution #74-14**

THE DISBURSING OFFICERS BE AND THEY ARE HEREBY AUTHORIZED TO PAY THE ATTACHED CLAIM LIST AS PRESENTED, IF FOUND CORRECT, AND APPROVED BY THE FINANCE COMMITTEE. EXCLUDED VOUCHERS MAY BE PAID UPON BEING FOUND ACCEPTABLE.



Council President Kaplan made a motion for approval, seconded by Councilwoman Tackach and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, and Tackach. Nos: None. Abstain: None.

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The Borough Clerk read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex that:

**Resolution #76-14**

The Treasurer is hereby authorized to cancel the following unexpended balances in 2013 Budget Appropriation as of December 31, 2013 in the total amount of \$371,000.00:

<u>Account Name</u>	<u>Account #</u>	<u>Amount</u>
Mayor & Council	20-1102-138	10,000.00
Printing & Advertising	20-1202-138	5,000.00
Finance - S/W	20-1301-011	8,000.00
Planning Board - O/E	21-1802-028	10,000.00
Construction - S/W	22-1951-011	8,000.00
Police - S/W	25-2401-011	130,000.00
Hazardous Waste- O/E	25-2542-138	5,000.00
Solid Waste - S/W	25-3051-011	25,000.00
Garbage - S/W	25-3071-011	55,000.00
Roads - S/W	26-2901-011	10,000.00
Recreation - S/W	28-3701-011	3,000.00
Parks - S/W	28-3751-011	65,000.00
Sick Pay	30-4151-011	4,000.00
Celebration Public Events	30-4200-101	

		8,000.00
Social Security	36-4722-101	25,000.00
		371,000.00

Councilman Dotey made a motion for approval, seconded by Councilwoman Tackach and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, and Tackach. Nos: None. Abstain: None.

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### **DISCUSSION ON AGENDA WORKSHOP ITEMS-NONE**

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### **PUBLIC COMMENTS**

Mayor Dobies opened the Public Portion of the meeting for any comments.

John Ellery, 701 Lincoln Boulevard represented the business community and discussed Section 332-42 of the Sewer Ordinance regarding ad valorem taxes.

John Mrofcheck, 128 Wood Avenue discussed (1) Having the Sewer Meeting with a small group; (2) Concerned every business did not get billed; and (3) Sewer system leaks that create a bigger flow.

John Erickson, 209 Second Street commended the DPW on the cleanup from the last major snow storm and questioned the costs of all of the snow cleanups.

Former Mayor Bob Sherr, 212 Lucia Street wanted to publicly acknowledge and thank the CFO, Andrea Corcoran that is retiring for her service to the borough, as she has done a great job.

Debra DeVuyst, 73 Ramsey Road discussed (1) Interlocal Agreement with Piscataway for South Avenue and Sherman. (2) Website posting of November 26, 204 Meeting Minutes; (3) Sewer User Charges and having a fair user fee per class; (4) Rates must be charged based on water usage; and (5) Certified water billing based on a calendar year.

Mayor Dobies also addressed all questions from the Public.

Seeing that there was no further public participation, Mayor Dobies closed the public portion of the meeting.

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The Borough Clerk read the following resolution:

BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex that:

### **Resolution 75-14**

**WHEREAS**, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting; and

**WHEREAS**, the Governing Body of the Borough of Middlesex has deemed it necessary to go into closed session to discuss certain matters which are exempted from the Public; and

**WHEREAS**, the regular meeting of this Governing Body will reconvene.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Middlesex will go into closed session for the following reason listed below as outlined in N.J.S.A. 10:4-12 and the minutes will be kept, and once the matter involving the confidentiality of the items no longer require confidentiality, the minutes can be made public.

1. Administrator
2. Temporary CFO Position – Possible Action to hire may be taken
3. Part Time Clerical Position – Possible Action to hire may be taken

Council President Kaplan made a motion for approval as amended, seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, and Tackach. Nos: None. Abstain: None.

Council President Kaplan moved to reconvene the Regular Meeting seconded by Dotey Schueler and carried by a unanimous vote of Council.

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The Borough Clerk read the following resolution:

BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex that:

### **Resolution 77-14**

Appointing Vincent Buono as temporary Chief Financial Officer for (2) two months at a maximum salary not to exceed \$6,666.00 commencing on March 3, 2014.

Council President Kaplan made a motion for approval, seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, and Tackach. Nos: None. Abstain: None.

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The Borough Clerk read the following resolution:

BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex that:

### **Resolution 78-14**

Hiring Carmen Modica as a administrative assistant in the Municipal Clerk's office for 28 hours per week at \$12.00 commencing on February 27, 2014.

Council President Kaplan made a motion for approval, seconded by Councilwoman Tackach and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, and Tackach. Nos: None. Abstain: None.

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### **ADJOURNMENT**

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Council President Kaplan made a motion to adjourn the Regular Meeting seconded by Councilman Greco and carried by a unanimous vote of members present.

Respectfully yours,

Kathleen Anello  
Borough Clerk